

H. B. 1067

CHAPTER 558

AN ACT TO AMEND CHAPTER TWENTY-SEVEN, SUB-CHAPTER FOUR, ARTICLES EIGHTEEN, TWENTY-ONE, AND TWENTY-THREE, OF THE CONSOLIDATED STATUTES AND AMENDMENTS THERETO, RELATING TO MUNICIPAL RECORDER'S COURTS TO EXTEND THE CRIMINAL AND CIVIL JURISDICTION OF THE RECORDER'S COURT OF WENDELL TO INCLUDE ALL OF MARK'S CREEK TOWNSHIP, SAINT MATTHEWS, TOWNSHIP, SAINT MARY'S TOWNSHIP, AND NEUSE RIVER TOWNSHIP, IN WAKE COUNTY, AND TO PROVIDE FOR THE ELECTION OF THE RECORDER OF SAID COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That all of the criminal and civil jurisdiction of the Recorder's Court of Wendell, established under Chapter twenty-seven, sub-chapter four, Articles eighteen, twenty-one and twenty-three, of the Consolidated Statutes and amendments thereto, shall extend to and include all of Mark's Creek Township, Saint Matthews Township, Saint Mary's Township, and Neuse River Township, in Wake County, with the same rules and procedure and right of appeal as now provided by law.

C. S., Ch. 27, sub-chapter 4, Arts. 18, 21 and 23, amended to extend jurisdiction of Recorder's Court of Wendell, Wake County.

SEC. 2. That the recorder of said court shall be nominated in the primary and elected in the general election by the qualified voters of Mark's Creek Township, Saint Matthews Township, Saint Mary's Township, and Neuse River Township, in the same manner and at the same time as other officers of Wake County are nominated and elected, and shall hold office for two years and until his successor is elected and qualified.

Nomination and election of Recorder.

SEC. 3. That the recorder of said court shall be a person of good moral character, qualified to vote in Wake County, and a resident of Mark's Creek Township, Saint Matthews Township, Saint Mary's Township, or Neuse River Township.

Term of office.

Qualifications of Recorder.

SEC. 4. That in the trial of all criminal actions in the court mentioned in this Act, the clerk of said court, where the action originated in the court of a Justice of the Peace, shall tax in the costs of said action the costs which accrued in the said Justice's Court and if there is no prosecutor in such criminal action and the defendant is acquitted, or convicted and unable to pay the costs, or a nolle prosequi is entered, or judgment arrested, or prayer for judgment continued, the county shall pay the clerks, Sheriffs, constables, justices and witnesses one-half their lawful fees so taxed in the costs unless judgment otherwise shall be en-

Costs in criminal actions originating in courts of justices of the peace.

Provision for payment by county of certain fees in enumerated instances.